

criminal prosecutions, and providing that such prosecutions shall not bar a prosecution of or recovery against any other person or persons for the same offense; Section 21 defining the powers and prescribing the duties of county and district attorneys of this State, and of the Attorney General, under this act; and Section 22 fixing the fees of the county and district attorneys for prosecutions under this act, and apportioning such fees between such county and district attorneys, and providing that this act shall not repeal said Chapter 94, Acts of the Twenty-eighth Legislature of Texas, and that this act shall be cumulative thereof, and declaring an emergency,"

And find the same correctly engrossed.

BARRETT, Acting Chairman.

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 65, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed or are about to fail to construct their roads and branches or any part thereof within the time required by law, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, May 8, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 58, A bill to be entitled "An Act to create a Judiciary Commission to prepare and submit to the Thirty-first Legislature drafts of constitutional amendments and bills and measures for the improvement of the judiciary system and court procedure of Texas,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

## TWENTIETH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, May 9, 1907.

The Senate met pursuant to adjournment, Lieutenant Governor Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent—Excused.

Holsey.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Kellie, the same was dispensed with.

(See Appendix for committee reports.)

There being no bills and resolutions, the Chair declared the morning call concluded.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 103, A bill to be entitled "An Act to incorporate Seagoville School District in Dallas and Kaufman counties an independent school district; and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein."

Senate Concurrent Resolution No. 2, Authorizing the Comptroller to draw warrants to pay balance due and to become due members, officers and employees of the Regular Session of the Thirtieth Legislature, out of the appropriation for the per diem pay of members, offi-

cers and employes of the First Called Session of the Thirtieth Legislature.

House Concurrent Resolution No. 2, Relative to a joint postoffice for the House and Senate.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following:

House bill No. 103, to Committee on Educational Affairs.

House Concurrent Resolution No. 2, to Committee on State Affairs.

#### HOUSE BILL NO. 13.

House bill No. 13, on third reading, being pending business,

Senator Stone moved that the pending order of business (House bill No. 13) be suspended, and the Senate take up, out of its order, House bill No. 4.

The motion was lost by the following vote:

Yeas—11.

Faust.	Murray.
Glasscock.	Senter.
Greer.	Smith.
Looney.	Stone.
Masterson.	Watson.
Meachum.	

Nays—18.

Alexander.	Hudspeth.
Barrett.	Kellie.
Chambers.	Mayfield.
Cunningham.	Paulus.
Green.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Willacy.

Absent.

Brachfield.

Absent—Excused.

Holsey.

The Chair laid before the Senate, on third reading,

House bill No. 13, A bill to be entitled "An Act to tax property passing by will or by descent or by grant or gift, taking effect on the death of the grantor or donor."

The bill was read, and

Senator Griggs offered the following amendment:

Amend the bill by inserting after the

word "treasurer," line 8, page 6, the words: "One-half of," and adding to Section 12 of the bill the following: "And the other half he shall at the same time pay to the county treasurer of the county."

The amendment was lost by the following vote:

Yeas—15.

Faust.	Murray.
Glasscock.	Senter.
Greer.	Smith.
Griggs.	Stone.
Kellie.	Terrell.
Looney.	Watson.
Masterson.	Willacy.
Meachum.	

Nays—14.

Alexander.	Harper.
Barrett.	Hudspeth.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.

Absent.

Harbison.

Absent—Excused.

Holsey.

Senator Senter offered the following amendment:

Amend the bill by adding to Section 1 the following: "The provisions of this act shall not apply to any inheritance which would be collectible from a homestead or the proceeds thereof."

The amendment was lost by the following vote:

Yeas—13.

Faust.	Meachum.
Glasscock.	Murray.
Griggs.	Senter.
Hudspeth.	Smith.
Kellie.	Stone.
Masterson.	Watson.
Mayfield.	

Nays—16.

Alexander.	Harper.
Barrett.	Looney.
Brachfield.	Paulus.
Chambers.	Skinner.
Cunningham.	Stokes.
Green.	Terrell.
Greer.	Veale.
Grinnan.	Willacy.

Absent.

Harbison.

Absent—Excused.

Holsey.

Senator Glasscock offered the following amendment:

Amend by adding after the word "separately," in Section 2, page 3, line 1, the following words: "Of each heir, devisee, legatee or grantee," and further amend Section 2, page 3, after the word "the," line 2, by inserting the following words: "Time they shall come into possession of the same," and strike out in line 2, page 3, the words "Death of the decedent."

Senator Stokes moved the previous question on the pending amendment and the bill, the motion being duly seconded, was so ordered by the following vote:

## Yeas—18.

Alexander.	Harper.
Barrett.	Hudspeth.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Greer.	Terrell.
Griggs.	Veale.
Grinnan.	Willacy.

## Nays—12.

Faust.	Meachum.
Glasscock.	Murray.
Harbison.	Senter.
Kellie.	Smith.
Looney.	Stone.
Masterson.	Watson.

Absent—Excused.

Holsey.

The amendment by Senator Glasscock was lost by the following vote:

## Yeas—16.

Faust.	Meachum.
Glasscock.	Murray.
Greer.	Senter.
Griggs.	Smith.
Harbison.	Stone.
Hudspeth.	Terrell.
Kellie.	Watson.
Masterson.	Willacy.

## Nays—14.

Alexander.	Harper.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Grinnan.	Veale.

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

## Yeas—19.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Paulus.
Cunningham.	Skinner.
Green.	Stokes.
Greer.	Terrell.
Grinnan.	Veale.
Harper.	Willacy.
Hudspeth.	

## Nays—11.

Faust.	Murray.
Glasscock.	Senter.
Griggs.	Smith.
Harbison.	Stone.
Masterson.	Watson.
Meachum.	

Absent—Excused.

Holsey.

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 60, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 25, 1907, entitled 'An Act to amend Chapter 94, page 119 of the Acts of the Twenty-eighth Legislature, entitled "An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith, by adding to said law Section 18, concerning punishment for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees, and declaring an emergency,"' by adding to said Chapter 94, page 119 of the Acts of the

Twenty-eighth Legislature, Sections 19, 20, 21 and 22; said Section 19 defining, prohibiting and declaring illegal trusts, monopolies and conspiracies in restraint of trade, providing criminal prosecutions therefor, and fixing the punishment and penalties for violation of said chapter, and of this act, Section 20 fixing venue for criminal prosecutions and providing that such prosecutions shall not bar a prosecution of or recovery against any other person or persons for the same offense; Section 21 defining the powers and prescribing the duties of county and district attorneys of this State, and of the Attorney General, under this act; and Section 22, fixing the fees of the county and district attorneys for prosecutions under this act, and apportioning such fees between such county and district attorneys, and providing that this act shall not repeal said Chapter 94, Acts of the Twenty-eighth Legislature of Texas, and that this act shall be cumulative thereof; and declaring an emergency."

House bill No. 109, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 1, 1907, entitled 'An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver from requiring or knowingly permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator who has been on duty for fourteen consecutive hours to perform any work until he has had at least eight hours off duty, except in certain cases, and to prohibit any such corporation or receiver, or any officer, agent or representative thereof from requiring or knowingly permitting any such employe who has been on duty for fourteen consecutive hours, and who has gone off duty to to again go on duty or perform any work for such corporation or receiver until he has had at least eight hours off duty, and providing penalties for violation of this act, and prescribing the venue of suits, and prosecutions thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, and declaring an emergency,' by adding thereto Section 4a, and by repealing Section 5 of said act."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 109, to Committee on Internal Improvements.

#### HOUSE BILL NO. 7.

The Chair laid before the Senate, on second reading and pending business,

House bill No. 4, A bill to be entitled "An Act providing for the levy and collection of an occupation tax upon individuals, companies, corporations and associations pursuing certain occupations," etc., known as the gross receipts tax bill.

On motion of Senator Skinner, the pending order of business (House bill No. 4) was suspended, and the Senate took up, out of its order, House bill No. 7.

The Chair then laid before the Senate, on second reading,

House bill No. 7, A bill to be entitled "An Act to amend Chapter 146, Acts of the Twenty-ninth Legislature, approved April 17, 1905, an act for the taxation of the intangible assets of certain corporations, associations and individuals, and to provide for the creation of a State Tax Board, for the valuation of such intangible assets, etc., known as the 'Intangible Assets Bill.'"

There being three committee reports, one a majority favorable committee report with amendments, one a minority favorable report, No. 1 with amendments, and a minority favorable report, No. 2.

Action recurred on the majority committee report, and

Senator Skinner moved to substitute minority committee report No. 1, signed by "Skinner and Harper," for the majority report, and

Senator Murray moved to substitute minority committee report No. 2, signed by himself, for minority report No. 1.

Action recurred on the motion by Senator Murray first, which was to adopt the minority committee report No. 2, and which was signed by himself.

Pending discussion on the motion by Senator Skinner, who had been speaking for thirty minutes, the time fixed by the Senate on yesterday limiting the time for speaking on a subject, the Chair stated that the Senator's time had expired, whereupon,

On motion of Senator Meachum, the time was extended indefinitely.

(Senator Stone in the chair.)

### THIRD HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 76, A bill to be entitled "An Act to amend an act to prescribe the time within which statements of facts, bills of exceptions may be filed in causes tried in the district and county courts of Texas, and to authorize judges whose terms of office have expired to approve the same, being Chapter 25 of the Acts of 1903, approved February 28, 1903; amending so that judges also have twenty days after adjournment of the term of court at which said cause may be tried to file findings of fact and conclusions of law."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

### BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 76, to Judiciary Committee No. 1.

### RECESS.

On motion of Senator Kellie, the Senate, at 12 o'clock, recessed until 3 o'clock.

### AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

### HOUSE BILL NO. 7.

Action recurred on House bill No. 7, the question being on the motion by Senator Murray to substitute the minority committee report No. 2 for the minority committee report No. 1.

(Senator Willacy in the chair.)

### FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

Does not concur in Senate amendments to House bill No. 13, and a Conference Committee is requested. The following has been appointed on the part of the House: Messrs. Strickland, Wolfe, Canales, Braly and Brown of Wharton.

Also that the House has passed

Senate bill No. 65, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1902, and which have failed, or are about to fail to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

### CONFERENCE COMMITTEE ON HOUSE BILL NO. 13.

The Chair (Lieutenant Governor Davidson) here, in accordance with the above request from the House, appointed the following Conference Committee on House bill No. 13: Senators Smith, Griggs, Masterson, Cunningham and Mayfield.

### HOUSE BILL NO. 10—CONFERENCE COMMITTEE REPORT ADOPTED.

By Senator Skinner:

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, Lieutenant Governor, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed on the part of the Senate and the House to adjust the differences between the two houses on

House bill No. 10, A bill to be entitled "An Act prescribing franchise taxes to be paid by private, domestic and foreign corporations for the exercise of the privilege of doing business within the State of Texas, and declaring an emergency, etc.,"

Have had the same under consideration, and we recommend:

1. That the Senate recede from its amendment to Section 1 of the bill.

2. That the House accepts the Senate amendment to Section 2.

3. That the House accepts the Senate amendment inserting Section 15a to the bill.

4. That the Senate recede from its amendment to Section 6.

5. Also to its amendment to the caption.

6. That the House accept all of the Senate amendments except as above mentioned.

WILLACY,  
MASTERTSON,  
SKINNER,  
BRACHFIELD,

On the part of the Senate.

KENNEDY,  
TERRELL of McLennan,  
MOBLEY,  
CAMP,

On the part of the House.

On motion of Senator Skinner, the above report was adopted by the following vote:

Yeas—29.

Alexander.	Mastertson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Hudspeth.	Willacy.
Looney.	

Nays—1.

Kellie.

Absent—Excused.

Holsey.

#### HOUSE BILL NO. 7.

Action recurred on House bill No. 7, the question being on the motion by Senator Murray to substitute the minority committee report No. 2 for the minority committee report No. 1.

Pending prolonged discussion on the above motion, Senator Meachum, at 5:30 o'clock p. m., moved that the Senate recess until 8 o'clock tonight, which motion was lost by the following vote:

Yeas—9.

Cunningham.	Kellie.
Faust.	Mastertson.
Glasscock.	Meachum.
Griggs.	Stone.
Harbison.	

Nays—21.

Alexander.	Murray.
Barrett.	Paulus.
Brachfield.	Senter.
Chambers.	Skinner.
Green.	Smith.
Greer.	Stokes.
Grinnan.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Looney.	Willacy.
Mayfield.	

Absent—Excused.

Holsey.

(Senator Mastertson in the chair.)

#### HOUSE BILL NO. 102.

On motion of Senator Looney, the pending order of business (House bill No. 7) was suspended, and the Senate took up, out of its order, House bill No. 102.

The Chair laid before the Senate, on second reading,

House bill No. 102, A bill to be entitled "An Act to incorporate Merit School District in Hunt county an independent school district, and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free school therein."

On motion of Senator Looney, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Looney, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Looney.
Barrett.	Mastertson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Smith.
Griggs.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Willacy.

Absent.

Cunningham.	Skinner.
Grinnan.	Stokes.
Harbison.	Watson.

## Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Willacy.

Absent.

Cunningham.	Skinner.
Harbison.	Watson.

Absent—Excused.

Holsey.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 109.

On motion of Senator Mayfield, the pending order of business (Senate bill No. 7) was suspended, and the Senate took up, out of its order, House bill No. 109.

The bill having been read first time in the Senate today,

On motion of Senator Mayfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

Yeas—24.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Greer.	Senter.
Griggs.	Smith.
Grinnan.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Willacy.

Absent.

Cunningham.	Harbison.
Glasscock.	Skinner.
Green.	Watson.

Absent—Excused.

Holsey.

The Chair laid before the Senate, on second reading,

House bill No. 109, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 1, 1907, and declaring an emergency," and which is known as the Fourteen-Hour Bill.

On motion of Senator Mayfield, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Mayfield, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Mayfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Willacy.

Absent.

Cunningham.	Skinner.
Harbison.	Watson.

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Glasscock.
Barrett.	Green.
Brachfield.	Greer.
Chambers.	Griggs.
Faust.	Grinnan.

Harper.	Senter.
Hudspeth.	Skinner.
Kellie.	Smith.
Looney.	Stokes.
Masterson.	Stone.
Mayfield.	Terrell.
Meachum.	Veale.
Murray.	Willacy.
Paulus.	

Absent.

Cunningham.	Watson.
Harbison.	

Absent—Excused.

Holsey.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 104.

On motion of Senator Veale, the pending order of business (House bill No. 7) was suspended, and the Senate took up, out of its order, House bill No. 104.

The Chair laid before the Senate, on second reading,

House bill No. 104, A bill to be entitled "An Act to amend Sections 2 and 3 of an act passed at the Regular Session of the Thirtieth Legislature, entitled 'An Act to authorize, enable and permit the territory within the boundaries of the town of Estelline, Hall county, Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as Estelline Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes only, and declaring an emergency.'"

On motion of Senator Veale, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Greer.
Barrett.	Griggs.
Brachfield.	Grinnan.
Chambers.	Harper.
Faust.	Hudspeth.
Green.	Kellie.

Looney.	Skinner.
Masterson.	Smith.
Mayfield.	Stokes.
Meachum.	Stone.
Murray.	Terrell.
Paulus.	Veale.
Senter.	Willacy.

Absent.

Cunningham.	Harbison.
Glasscock.	Watson.

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Mayfield.
Barrett.	Meachum.
Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Willacy.
Masterson.	

Absent.

Cunningham.	Harbison.
Glasscock.	Watson.
Grinnan.	

Absent—Excused.

Holsey.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 101.

On motion of Senator Hudspeth, the pending order of business (House bill No. 7) was suspended, and the Senate took up, out of its order, House bill No. 101.

The Chair laid before the Senate, on second reading,

House bill No. 101, A bill to be entitled "An Act to amend Section 1 of an act of the Regular Session of the Thirtieth Legislature of the State of Texas, which was introduced and passed through said Thirtieth Legislature as House bill No. 275, entitled 'An Act creating the Christoval Independent School District in Tom Green county, Texas.'"

On motion of Senator Hudspeth, the Senate rule requiring committee reports



to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Hudspeth, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading,

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Willacy.

Absent.

Cunningham.	Harbison.
Glasscock.	Watson.

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Willacy.

Absent.

Cunningham.	Harbison.
Glasscock.	Watson.

Absent—Excused.

Holsey.

Senator Hudspeth moved to reconsider

the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 66.

On motion of Senator Faust, the pending order of business (House bill No. 7) was suspended, and the Senate took up, out of its order, Senate bill No. 66.

The Chair laid before the Senate, on second reading,

Senate bill No. 66, A bill to be entitled "An Act correcting and amending Senate bill No. 311, passed at the Regular Session of the Thirtieth Legislature, creating an independent school district in the counties of Gonzales and Wilson, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

On motion of Senator Faust, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Faust, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Faust, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Cunningham.	Skinner.
Glasscock.	Veale.
Harbison.	

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

## Yeas—26.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Willacy.

## Absent.

Cunningham.	Harbison.
Glasscock.	Watson.

## Absent—Excused.

Holsey.

Senator Faust moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

Senator Kellie moved that the Senate adjourn until tomorrow morning at 10 o'clock.

Senator Smith moved, as a substitute, that the Senate recess until 8 o'clock tonight.

Action being on the longest time first, and the motion to adjourn until 10 o'clock tomorrow morning was lost by the following vote:

## Yeas—3.

Hudspeth.	Stone.
Kellie.	

## Nays—23.

Alexander.	Mayfield.
Barrett.	Meachum.
Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Terrell.
Harper.	Veale.
Looney.	Willacy.
Masterson.	

## Absent.

Cunningham.	Harbison.
Glasscock.	Watson.

## Absent—Excused.

Holsey.

12-ss

The motion to recess until 8 o'clock tonight was then adopted.

## AFTER RECESS.

## (Night Session.)

The Senate was called to order by Senator Masterson, who was presiding at the time the Senate recessed.

## HOUSE BILL NO. 7.

Action recurred on House bill No. 7, the pending question being on the motion of Senator Murray to substitute the minority committee report No. 2 for minority committee report No. 1.

Pending discussion on the motion, Senator Hudspeth, at 10:05 o'clock p. m., moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion was lost by the following vote:

## Yeas—3.

Faust.	Hudspeth.
Glasscock.	

## Nays—25.

Alexander.	Meachum.
Barrett.	Murray.
Brachfield.	Paulus.
Chambers.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Kellie.	Veale.
Looney.	Watson.
Masterson.	Willacy.
Mayfield.	

## Absent.

Cunningham.	Harbison.
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## Absent—Excused.

Holsey.

(Lieutenant Governor Davidson in the chair.)

Action then recurred on the motion by Senator Murray to substitute the minority committee report No. 2 for minority committee report No. 1.

Pending discussion, Senator Glasscock moved the previous question on the three pending motions, which motion being seconded was so ordered.

The motion by Senator Murray, to substitute the minority committee report No. 2 for the minority committee report No. 1 was adopted by the following vote:

## Yeas—15.

Barrett.	Mayfield.
Brachfield.	Murray.
Glasscock.	Senter.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Hudspeth.	Veale.
Kellie.	

## Nays—13.

Alexander.	Meachum.
Chambers.	Paulus.
Faust.	Skinner.
Green.	Stokes.
Harper.	Watson.
Looney.	Willacy.
Masterson.	

## Absent.

Cunningham.	Harbison.
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## Absent—Excused.

Holsey.

The committee report, as substituted, was then adopted by the following vote:

## Yeas—21.

Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	

## Nays—7.

Alexander.	Paulus.
Green.	Watson.
Masterson.	Willacy.
Meachum.	

## Absent.

Cunningham.	Harbison.
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## Absent—Excused.

Holsey.

Senator Senter offered the following amendment:

Amend Section 8 by adding after the word "incorporated railroad company," in line 31, the following words: "Or company organized to own and control the stocks and bonds or other securities of a railroad company organized under the laws of Texas."

Senator Brachfield moved the previous question on the amendment, which motion was duly seconded and ordered.

The amendment by Senator Senter was adopted.

Senator Alexander offered the following amendment:

Amend the bill by striking out the words: "And packing house company," in line 32, page 5, and line 1, page 6. Also strike out "and packing house" in the caption of the bill.

Senator Brachfield moved the previous question on the amendment, which motion being duly seconded was so ordered.

The amendment by Senator Alexander was adopted by the following vote:

## Yeas—21.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Stone.
Greer.	Terrell.
Griggs.	Watson.
Harper.	Willacy.
Kellie.	

## Nays—7.

Grinnan.	Smith.
Hudspeth.	Stokes.
Looney.	Veale.
Senter.	

## Absent.

Cunningham.	Harbison.
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## Absent—Excused.

Holsey.

Senator Skinner offered the following amendment:

Amend Section 8 by striking out said section and insert in lieu thereof "1906" wherever the same appears in "1907."

Senator Brachfield moved the previous question on amendment, which motion being duly seconded was so ordered.

The amendment by Senator Skinner was then adopted by the following vote:

## Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stokes.
Kellie.	Stone.

Terrell.                      Watson.  
Veale.                      Willacy.

Nays—2.

Glasscock.                      Hudspeth.

Absent.

Cunningham.                      Harbison.

Absent—Excused.

Holsey.

Senator Green offered the following amendment:

Amend by inserting after the word "toll company," in line 2, of Section 8, "telegraph companies, express companies, gas, electric light, electric power, pipe line companies, waterworks and water and light plant companies, street railway companies, interurban railway companies, telephone companies and sleeping car companies and palace car companies."

Senator Hudspeth moved to table the amendment, which motion to table prevailed by the following vote:

Yeas—17.

Alexander.                      Mayfield.  
Barrett.                      Murray.  
Glasscock.                      Paulus.  
Greer.                      Senter.  
Griggs.                      Stokes.  
Grinnan.                      Stone.  
Hudspeth.                      Watson.  
Kellie.                      Willacy.  
Masterson.

Nays—11.

Brachfield.                      Meachum.  
Chambers.                      Skinner.  
Faust.                      Smith.  
Green.                      Terrell.  
Harper.                      Veale.  
Looney.

Absent.

Cunningham.                      Harbison.

Absent—Excused.

Holsey.

Senator Stone offered the following amendment:

Amend the bill by striking out Section 17 of the printed bill.

Senator Glasscock moved the previous question on the amendment and the bill, which motion was duly seconded, but was lost by the following vote:

Yeas—7.

Brachfield.                      Glasscock.

Greer.                      Kellie.  
Grinnan.                      Murray.  
Harper.

Nays—21.

Alexander.                      Paulus.  
Barrett.                      Senter.  
Chambers.                      Skinner.  
Faust.                      Smith.  
Green.                      Stokes.  
Griggs.                      Stone.  
Hudspeth.                      Terrell.  
Looney.                      Veale.  
Masterson.                      Watson.  
Mayfield.                      Willacy.  
Meachum.

Absent.

Cunningham.                      Harbison.

Absent—Excused.

Holsey.

Senator Brachfield moved to table the amendment by Senator Stone, which motion to table was adopted by the following vote:

Yeas—16.

Barrett.                      Looney.  
Brachfield.                      Mayfield.  
Chambers.                      Murray.  
Glasscock.                      Senter.  
Greer.                      Skinner.  
Grinnan.                      Stokes.  
Harper.                      Terrell.  
Hudspeth.                      Veale.

Nays—12.

Alexander.                      Meachum.  
Faust.                      Paulus.  
Green.                      Smith.  
Griggs.                      Stone.  
Kellie.                      Watson.  
Masterson.                      Willacy.

Absent.

Cunningham.                      Harbison.

Absent—Excused.

Holsey.

Senator Looney offered the following amendment:

Amend the bill by inserting after the word "toll company," line 32, page 5, the following: "Telegraph company, telephone company, express company and sleeping car company."

Senator Murray made the point of order that the matter contained in this amendment had been voted down by the Senate.

Pending discussion on the point of

order, Senator Kellie moved to reconsider the vote by which the amendment by Senator Green was tabled, and

Senator Brachfield moved to table that motion, which motion to table prevailed by the following vote:

Yeas—21.

Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Senter.
Glasscock.	Stokes.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Hudspeth.	Willacy.
Masterson.	

Nays—7.

Alexander.	Meachum.
Green.	Skinner.
Kellie.	Smith.
Looney.	

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

The Chair then sustained the point of order by Senator Murray on the amendment by Senator Looney.

Senator Terrell offered the following amendment:

Amend the bill by striking out Section 4 on page 16 of the bill and insert in lieu thereof the following: "All laws levying occupation of gross receipts taxes on any individual company, corporation or association embraced within the provisions of this act are hereby repealed."

Senator Brachfield moved the previous question on the amendment, which motion being duly seconded was so ordered.

The amendment by Senator Terrell was lost by the following vote:

Yeas—12.

Alexander.	Meachum.
Faust.	Senter.
Griggs.	Stone.
Hudspeth.	Terrell.
Kellie.	Watson.
Masterson.	Willacy.

Nays—16.

Barrett.	Green.
Brachfield.	Greer.
Chambers.	Grinnan.
Glasscock.	Harper.

Looney.	Skinner.
Mayfield.	Smith.
Murray.	Stokes.
Paulus.	Veale.

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

Senator Alexander offered the following amendment, which was adopted:

Amend the bill by correcting the numbering of the sections after Section 19 so as to make the numbers of sections consecutive.

Senator Meachum offered the following amendment:

Amend the bill, page 13, Section 16, line 31, by striking out the words: "Nor by the board of equalization of such county."

Senator Brachfield moved the previous question on the amendment, which motion being duly seconded was so ordered.

The amendment was lost by the following vote:

Yeas—11.

Alexander.	Meachum.
Faust.	Smith.
Green.	Stone.
Griggs.	Watson.
Kellie.	Willacy.
Masterson.	

Nays—17.

Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Paulus.
Glasscock.	Senter.
Greer.	Skinner.
Grinnan.	Stokes.
Harper.	Terrell.
Hudspeth.	Veale.
Looney.	

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

Senator Skinner offered the following amendment:

Amend the caption by striking out "1906" wherever it appears therein and insert in lieu thereof "1907."

Senator Brachfield moved the previous question on the amendment and bill, which motion being duly seconded was so ordered.

The amendment by Senator Skinner was adopted.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—28.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	Willacy.

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	Willacy.

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Griggs.
Barrett.	Grinnan.
Brachfield.	Harper.
Chambers.	Hudspeth.
Faust.	Kellie.
Glasscock.	Looney.
Green.	Masterson.
Greer.	Mayfield.

Meachum.	Stokes.
Murray.	Stone.
Paulus.	Terrell.
Senter.	Veale.
Skinner.	Watson.
Smith.	Willacy.

Absent.

Cunningham. Harbison.

Absent—Excused.

Holsey.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### ADJOURNMENT.

On motion of Senator Stone, the Senate, at 11:35 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

### APPENDIX.

#### COMMITTEE REPORTS.

(Floor Report.)

Committee Room.

Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 76, A bill to be entitled "An Act to prescribe the time within which statement of facts, bills of exceptions may be filed in causes tried in the district and county courts of Texas; and to authorize judges whose terms of office has expired to approve the same, being Chapter 25 of the Acts of 1903, approved February 28, 1903, amending so that judges also have twenty days after adjournment of the term of court at which said cause may be tried to file findings of fact and conclusions of law,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Stone, Chairman; Griggs, Chambers, Green, Paulus, Grinnan, Brachfield, Veale.

(Floor Report.)

Committee Room,

Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

Senate bill No. 66, A bill to be entitled "An Act correcting and amending Senate bill No. 311, passed at the Regular Session of the Thirtieth Legislature, creating an independent school district in the counties of Gonzales and Wilson, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Kellie, Senter, Meachum, Paulus, Glasscock.

(Floor Report.)

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

House bill No. 109, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature of Texas, Regular Session, approved April 1, 1907, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Brachfield, Chairman; Chambers, Meachum, Mayfield, Masterson, Willacy, Alexander, Murray, Green.

(Floor Report.)

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

House Concurrent Resolution No. 2, Relating to establishment within the capitol a branch postoffice, to be maintained at the expense of the Federal government,

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Faust, Chairman; Green, Greer, Murray, Brachfield, Smith.

(Floor Report.)

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 103, A bill to be entitled "An Act to incorporate Seagoville Independent School District in Dallas and Kaufman counties an independent school district; and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Kellie, Senter, Meachum, Paulus, Glasscock.

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 63, A bill to be entitled "An Act to amend Section 201 of an act entitled 'An Act to incorporate the city of Texarkana, Texas, as a city of the first-class, as a city of 10,000 and over of inhabitants; to grant to the said city a special charter; to repeal all laws in conflict herewith, and declaring an emergency,'"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 64, "An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver, from requiring or knowingly permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator who has been on duty for fourteen consecutive hours to perform any work until he has had at least eight hours off duty, except in certain cases, and to prohibit any

such corporation or receiver, or any officer, agent or representative thereof, from requiring or knowingly permitting any such employe who has been on duty for fourteen consecutive hours, and who has gone off duty to again go on duty, or perform any work for such corporation or receiver until he has had at least eight hours off duty, and providing penalties for violation of this act, and prescribing the venue of suits, and prosecutions thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, May 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 66, A bill to be entitled "An Act correcting and amending a bill passed by the Thirtieth Legislature creating an independent school district in the counties of Gonzales and Wilson, to be known as the Nixon Independent School District."

And find the same correctly engrossed.  
BARRETT, Acting Chairman.

#### TWENTY-FIRST DAY.

Senate Chamber,  
Austin, Texas,  
Friday, May 10, 1907.

The Senate met pursuant to adjournment, Lieutenant Governor Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent—Excused.

Holsey.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Kellie, the same was dispensed with.

(See Appendix for committee reports.)

There being no bills and resolutions, the Chair declared that the morning call was concluded.

#### HOUSE BILL NO. 4.

Senate bill No. 1, being regular order, the Chair so declared, and

On motion of Senator Willacy, the pending order of business (Senate bill No. 1) was suspended, and the Senate took up, out of its order, House bill No. 4.

The Chair laid before the Senate, on second reading,

House bill No. 4, A bill to be entitled "An Act providing for the levy and collection of an occupation tax upon individuals, companies, corporations and associations pursuing any of the occupations, etc., and giving the State Revenue Agent authority to assist in the enforcement of the provisions of this act, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

There being a majority favorable committee report, with amendments, and a favorable minority committee report, with amendments.

Senator Willacy moved to substitute the minority committee report for the majority committee report, which motion was adopted.

The question then was on the passage of the bill to a third reading, and

Senator Looney offered the following amendment:

Amend the bill by inserting as Sections 10 and 11 the following, and renumber the other sections to conform:

"Sec. 10. Each and every individual, company, corporation or association created by the laws of this State, or any other State, who shall engage in his own name or in the name of others, or in the name of its representatives or agents in this State, in the business of a wholesale dealer or a wholesale distributor of beer, or other malt liquors, shall, on or before the first day of July, 1907, and quarterly thereafter, make a report to the Comptroller of Public Accounts, under oath of the individual or of the president, treasurer or superintendent of